

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF NEW YORK

N.Y.C. 2 WAY INTERNATIONAL LTD.,

Plaintiff,

vs.

BAY RIDGE FEDERAL CREDIT UNION, GENE  
BRODY, MICHAEL GARTHAFNER, DR.  
STEVEN DICKERT, ROBERT BRUMER, ALAN  
BRODY and DR. ANDREW MARGULIES,

Defendants.

Case No. 04 Civ. 3238 (CBA)(KAM)

**STIPULATION OF DISMISSAL  
WITH PREJUDICE**

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ JUN 2 2005 ★

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

**IT IS HEREBY STIPULATED AND AGREED**, by and among the undersigned, who expressly represent that s/he is authorized to sign this Stipulation on behalf of the parties to this action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the above-entitled action be, and the same is, hereby dismissed on the merits, with prejudice and without costs or attorneys' fees to any party as against any other party and no party being an infant or incompetent person for whom a committee or conservatee has been appointed, and no person not a party having an interest in the subject matter of the action;


**IT IS FURTHER AGREED**, that this Stipulation: (i) may not be modified except by a writing signed by all parties to the Stipulation; and (ii) that the provisions of this Stipulation shall be binding upon and inure to the benefit of each party and its respective successors and assigns; and

IT IS FURTHER AGREED, that this Stipulation may be signed in multiple counterparts, and by facsimile, each of which when so executed and delivered shall be deemed

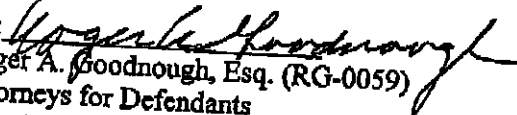
an original, but all of which when taken together shall constitute one and the same instrument.

Dated: New York, New York  
May 31, 2005

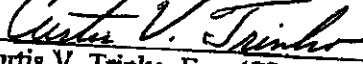
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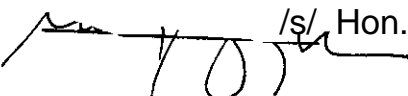
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SO ORDERED:

 /s/ Hon. Carol B. Amon  
June 2, '05